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9 *Attorneys for Federal Defendants*

10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12)
13 ENVIRONMENTAL PROTECTION)
INFORMATION CENTER,) Case No. 3:13-cv-2293-MMC
14)
15 Plaintiff,) **STIPULATION FOR TELEPHONIC**
16 v.) **APPEARANCE AND [PROPOSED]**
17) **ORDER**
18 STAFFORD LEHR, CHARLTON H. BONHAM,)
S.M.R. JEWELL, MICHAEL L. CONNOR, DAVID)
19 MURILLO, and U.S. BUREAU OF)
RECLAMATION,)
20)
Defendants.)
21)
-----)

22 Plaintiff Environmental Protection Information Center, defendants Charlton H. Bonham and
23 Stafford Lehr (“State Defendants”), and defendants S.M.R. Jewell, Michael L. Connor, David
24 Murillo, and U.S. Bureau of Reclamation (“Federal Defendants”) hereby stipulate and respectfully
25 request of the Court an order permitting counsel for Plaintiff and counsel for Federal Defendants to
26
27

28 STIPULATION RE: TELEPHONIC APPEARANCE
AND [PROPOSED] ORDER

1 appear by telephone at the Case Management Conference currently set for August 16, 2013, at
 2 10:30 a.m., for the following reasons.
 3

4 The Court set a Telephonic Initial Case Management Conference for July 19, 2013 by
 5 Minute Order. *See* ECF No. 15. The parties subsequently stipulated to, and the Court ordered, an
 6 extension of this date to August 16, 2013. ECF No. 18. Counsel for Federal Defendants and for
 7 Plaintiff assumed that the continued date was likewise a telephonic appearance and contacted the
 8 Court's staff to confirm that, and Court staff instructed the parties to file motion or stipulation
 9 requesting permission to appear telephonically.

10 Counsel for Federal Defendants is located in Washington, DC and requests an order
 11 permitting him to appear telephonically to avoid incurring significant travel costs for the
 12 government. Counsel for Plaintiff is likewise located out-of-state (in Oregon) and likewise seeks to
 13 avoid incurring significant travel costs for his not-for-profit client.

14 Counsel for State Defendants would prefer to appear in person, but can appear
 15 telephonically as well if it is more convenient for the Court to have all parties appear by telephone.

16 Therefore, Plaintiff, State Defendants, and Federal Defendants hereby stipulate and request
 17 an order permitting counsel for Plaintiff and for Federal Defendants to appear telephonically at the
 18 Initial Case Management Conference on August 16, 2013, at 10:30 a.m.

19 Respectfully submitted this 14th day of August, 2013.
 20

21 ROBERT G. DREHER
 22 Acting Assistant Attorney General
 23 U.S. Department of Justice
 24 Environment & Natural Resources Division
 25 SETH M. BARSKY, Chief
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27
 28 /s/ Ethan Carson Eddy
 29 ETHAN CARSON EDDY
 30 Trial Attorney (Cal. Bar 237214)
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10 /s/ Marc N. Melnick (as authorized)
11 MARC N. MELNICK
Deputy Attorney General

12 *Attorneys for State Defendants*

14 /s/ Peter M.K. Frost (as authorized)
15 Peter M.K. Frost, admitted *pro hac vice*
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19 *Attorney for Plaintiff*

21 **E-FILING ATTESTATION**

22 Pursuant to Civil Local Rule 5.1(i)(3), I attest that Marc Melnick and Peter Frost have
23 concurred in the filing of this document.

24 /s/ Ethan Carson Eddy
25 ETHAN CARSON EDDY
26 Counsel for Federal Defendants

[PROPOSED] ORDER

The above STIPULATION TO ALLOW TELEPHONIC APPEARANCE is GRANTED.

~~Counsel for Plaintiff and for Federal Defendants shall be allowed to~~ With the exception that all counsel shall participate by telephone at the Initial Case Management Conference on August 16, 2013, at 10:30 a.m. Counsel shall be on stand-by to be called by the Court beginning at 10:30 a.m.

Dated: August 14, 2013

Maxine M. Chesney
HON. MAXINE M. CHESNEY
United States District Judge